

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1747

SAMUEL YEBOAH DUKU,

Petitioner,

v.

ERIC H. HOLDER, JR., Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals.

Submitted: December 17, 2014

Decided: January 7, 2015

Before WILKINSON, NIEMEYER, and KEENAN, Circuit Judges.

Petition denied in part and dismissed in part by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, P.C., Arlington, Virginia, for Petitioner. Joyce R. Branda, Acting Assistant Attorney General, Shelley R. Goad, Assistant Director, Kristin Moresi, Office of Immigration Litigation, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Samuel Yeboah Duku, a native and citizen of Ghana, petitions for review of an order of the Board of Immigration Appeals ("Board") dismissing Duku's appeal from the immigration judge's denial of Duku's motion to reconsider or reopen. We have reviewed the administrative record and the Board's order and find no abuse of discretion. See 8 C.F.R. § 1003.23(b)(1) (2014). We therefore deny the petition for review in part for the reasons stated by the Board. See In re: Duku (B.I.A. June 27, 2014).

We lack jurisdiction to review the Board's refusal to exercise its sua sponte authority to reopen and therefore dismiss this portion of the petition for review. See Mosere v. Mukasey, 552 F.3d 397, 400-01 (4th Cir. 2009). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

PETITION DENIED IN PART
AND DISMISSED IN PART